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PATENT
ATTORNEY DOCKET NO. 056297-5003-20-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Stephen P.A. FODOR <i>et al.</i>)	Group Art Unit: 1634
)	
Application No.: 10/694,536)	Examiner: Unassigned
)	
Filed: October 28, 2003)	
)	
For: Arrays for detecting nucleic acids)	

Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Supplemental Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Supplemental Information Disclosure Statement.

The above-identified patent application is a continuation under 37 C.F.R. 1.53(b) of prior Application No. **09/056,927**, filed July 28, 1999. The Examiner's attention is respectfully directed to the art of record in the parent case and, thus, no references are being submitted with the first PTO Form 1449 (twenty four-page document) and the second PTO form 1449 (three-page document). The third PTO form 1449 (four-page document) lists one hundred and thirty four (134) additional references. With the exception of U.S. Patents, copies of the listed documents are enclosed.

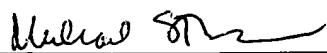
Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

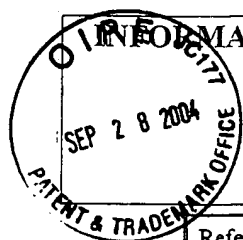
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents constitutes "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document. Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Date: **September 28, 2004**
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Respectfully submitted,
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Registration No. 43,210



INFORMATION DISCLOSURE STATEMENT

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PTO Form 1449

FIRST

Attorney Docket No.
56297-5003-20-US

Application No. 10/694,536

Applicants: Stephen P.A. FODOR *et al.*

Filing Date: 10/28/03

Group Art Unit: 1634

Reference Designation			U.S. PATENT DOCUMENTS				Patent
Examiner Initial	Document No.	Date	Name	Class	Sub-class	Filing Date (If Appropriate)	
1	3,849,137	11/19/74	Barzynski et al.				
2	3,862,056	1/21/75	Hartman				
3	3,939,350	2/7/78	Arwin et al.				
4	4,072,576	2/7/78	Arwin et al.				
5	4,180,739	12/25/79	Abu-Shumays				
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7	4,269,933	5/26/81	Pazos				
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9	4,327,073	4/27/82	Huang				
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11	4,342,905	8/3/82	Fujii et al.				
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39	4,711,955	12/8/87	Ward et al.			
40	4,713,326	12/15/87	Dattagupta et al.			
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43	4,722,906	2/2/88	Guire			
44	4,728,502	3/1/88	Hamill			
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63	4,849,513	7/18/89	Smith et al.			
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INFORMATION DISCLOSURE STATEMENT		Attorney Docket No. 56297-5003-20-US	Application No. 10/694,536
(Use several sheets if necessary)		Applicants: Stephen P.A. FODOR <i>et al.</i>	
PTO Form 1449	FIRST	Filing Date: 10/28/03	Group Art Unit: 1634

75	4,981,783	1/1/91	Augenlicht			
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83	5,021,550	6/4/91	Zeiger			
84	5,026,773	6/25/91	Steel			
85	5,026,840	6/25/91	Dattagupta et al.			
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Filing Date: 10/28/03

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	Document No.	Date	Country	Class	Sub-class	Translation (Yes/No)
1	EP 046 083	2/17/82	Europe			
2	EP 063 810	3/5/86	Europe			
3	EP 088 636	9/14/83	Europe			

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4	EP 103 197	3/21/84	Europe			
5	EP 127 438	12/5/84	Europe			
6	EP 171 150	3/25/92	Europe			
7	EP 173 339	1/22/92	Europe			
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9	EP 194 132	9/10/86	Europe			
10	EP 225 807	10/19/94	Europe			
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14	EP 237 362	3/11/92	Europe			
15	EP 245 662	11/19/87	Europe			
16	EP 260 634	6/10/92	Europe			
17	EP 268 237	5/28/88	Europe			
18	EP 281 927	9/14/88	Europe			
19	EP 288 310	10/26/88	Europe			
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21	EP 307 476	3/22/89	Europe			
22	EP 319 012	6/7/89	Europe			
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23A	EP 333 561	9/20/89	Europe			
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27	EP 392 546	10/17/90	Europe			
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32	WO 84/03151	8/16/84	WIPO			
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39A	WO 89/08834	9/21/89	WIPO			
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66	GB 8810400.5 (priority for WO 89/10977)	5/3/88	Great Britian			
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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) PTO Form 1449 FRIST	Attorney Docket No. 56297-5003-20-US	Application No. 10/694,536
	Applicants: Stephen P.A. FODOR <i>et al.</i>	
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76	JP 49-110601	10/22/74	Japan			
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OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)						
1	Sequencing by Hybridization Workshop, listing of participants and workshop presentation summaries (1991)					
2	"A Sequencing Reality Check," <u>Science</u> , 242:1245 (1988)					
3	"Affymax raises \$25 million to develop high-speed drug discovery system," <u>Biotechnology News</u> , 10(3):7-8 (1990)					
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17	Atherton et al., Solid Phase Peptide Synthesis: A Practical Approach, IRL Press, (1989), tbl. of cont., pp. vii-ix					
18	Augenlicht et al., "Cloning and Screening of Sequences Expressed in a Mouse Colon Tumor," <u>Cancer Research</u> , 42:1088-1093 (1982)					
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20	Bains, W., "Hybridization Methods for DNA Sequencing," <u>Genomics</u> , 11(2):294-301 (1991)					

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(Use several sheets if necessary)		Applicants: Stephen P.A. FODOR <i>et al.</i>	
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21	Bains et al., "A Novel Method for Nucleic Acid Sequence Determination," <u>J.Theor.Biol.</u> , 135:303-307 (1988)
22	Bains, W., "Alternative Routes Through the Genome," <u>Biotechnology</u> , 8:1251-1256 (1988)
23	Balachander et al., "Functionalized Siloxy-Anchored Monolayers with Exposed Amino, Azido, Bromo, or Cyano Groups," <u>Tetrahed. Ltrs.</u> , 29(44):5593-5594 (1988)
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25	Barltrop et al., "Photosensitive Protective Groups," <u>Chemical Communications</u> , pgs. 822-823 (1966)
26	Barinaga, M., "Will 'DNA Chip' Speed Genome Initiative," <u>Science</u> , 253:1489 (1985)
27	Bart et al., "Microfabricated Electrohydrodynamic Pumps," <u>Sensors and Actuators</u> , A21-A23:193-197 (1990)
28	Bartsh et al., "Cloning of mRNA sequences from the human colon: Preliminary characterisation of defined mRNAs in normal and neoplastic tissues," <u>Br.J.Can.</u> , 54:791-798 (1986)
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	CR 5,565,324	10/1996	STILL			04/1994
	DR 5,573,905	11/1996	LERNER			03/1992
	ER 5,604,097	02/1997	BRENNER			12/1994
	FR 5,635,400	06/1997	BRENNER			06/1995
	GR 5,654,413	08/1997	BRENNER			06/1995
	HR 5,690,894	11/1997	PINKEL			05/1995
	IR 5,770,367	06/1998	SOUTHERN			08/1994
	JR 5,804,563	09/1998	STILL			04/1996
	KR 5,807,683	09/1998	BRENNER			07/1994
	LR 5,846,719	12/1998	BRENNER			12/1998
	MR 5,863,722	01/1999	BRENNER			06/1995
	NR 6,023,540	02/2000	WALT			03/1997
	OR 6,054,270	04/2000	SOUTHERN			09/1997
	PR 6,060,240	05/2000	KAMB			12/1996

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	Document Number	Date MM/YYYY	Country	Inventor Name	English Abstract		Translation Readily Available	
					Enclosed	No	Enclosed	No
	QR DE 3722958	01/1989	Germany	KLEFENZ			X	
	RR WO 99/60007	11/1999	WIPO	SOUTHERN				

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SR	Bannwarth "Gene technology: A challenge for a chemist" <i>Chimia</i> 1987, 41:302-317			
TR	Bannwarth et al. "A system for the simultaneous chemical synthesis of different DNA fragments on solid support" <i>DNA</i> 1986, 5:413-419			
UR	Brenner et al. "In vitro cloning of complex mixtures of DNA on microbeads: Physical separation of differentially expressed cDNAs" <i>Proc Natl Acad Sci USA</i> 2000, 97:1665-1670			
VR	Brenner et al. "Gene expression analysis by massively parallel signature sequencing (MPSS) on microbead arrays" <i>Nature Biotechnology</i> 2000, 18:630-634			
WR	Tyagi "Taking a census of mRNA populations with microbeads" <i>Nature Biotechnology</i> 2000, 18:597-598			
XR	Wada (chairman) <i>Hayashibara Intl Workshop on Automatic and High Speed DNA-Base Sequencing</i> 1987 pp. 1-63			

Examiner

Date Considered:

*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

PTO Form 1449

FIRST

Attorney Docket No.
56297-5003-20-US

Application No. 10/694,536

Applicants: Stephen P.A. FODOR *et al.*

Filing Date: 10/28/03

Group Art Unit: 1634

U.S. PATENT DOCUMENTS						
Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR 5,075,077	12/1991	DURLEY			08/1988
	BR 5,567,809	10/1996	APPLE			04/1993
	CR 5,641,634	07/1997	MANDECKI			11/1995
	DR 5,751,629	05/1998	NOVA			06/1995
	ER					
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	GR					
	HR					
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	OR					
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FOREIGN PATENT DOCUMENTS						English Abstract		Translation Readily Available	
	Document Number	Date MM/YYYY	Country	Inventor Name		Enclosed	No	Enclosed	No
	QR GB 2 129 551	05/1984	United Kingdom	MOCHIDA					
	RR								
	SR								
	TR								
	UR								
	VR								

OTHER (Including in this order: Author, Title, Periodical Name, Date, Pertinent Pages, etc.)						English Abstract		Translation Readily Available	
	WR	Miller et al. "Detection of bacteria by hybridization of rRNA with DNA-latex and immunodetection of hybrids" J Clin Microbiol 1988, 26:1271-1276							
	XR								
	YR								
	ZR								
	AAR								
	BBR								

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U.S. PATENT DOCUMENTS							
Examiner's Initials*		Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR	4,965,188	10/1990	Mullis			
	BR	5,474,796	12/1995	Brennan			
	CR						
	DR						
	ER						
	FR						
	GR						
	HR						
	IR						
	JR						
	KR						
	LR						
	MR						
	NR						

FOREIGN PATENT DOCUMENTS							English Abstract		Translation Readily Available	
		Document Number	Date MM/YYYY	Country	Inventor Name		Enclosed	No	Enclose	N
	OR	2233654	1/1991	U.K.						
	PR	WO 90/00626	1/1990	WIPO						
	QR	WO 93/17126	9/1993	WIPO						
	RR	0 721 016 A3	07/1996	Europe	Lockhart					
	SR	WO 95/00530	01/1995	PCT	Fodor					
	TR									
	UR									
	VR									
	WR									
	XR									

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	YR	Perkin Elmer Cetus, Gene Amp DNA Amplification Reagent Kit, insert, Oct. 1988								
	ZR	Church et al, Proc. Natl. Acad. Sci., 81:1991-1995 (Apr., 1984)								
	AAR	Chetverin et al, Bio/Technology, 12:1093-1099 (Nov. 1994)								
	BBR	Coulson et al, Proc. Natl. Acad. Sci. USA, 83:7821-7825 (Oct. 1986)								
	CCR	Dower et al, Ann. Rep. Med. Chem., 26:271-280 (1991)								
	DDR	Dramanac et al, J. Biomol. Struct. Dyn., 8(5):1085-1102 (1991)								

Examiner

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INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary) <div style="display: flex; justify-content: space-between;"> PTO Form 1449 FIRST </div>	Attorney Docket No. 56297-5003-20-US	Application No. 10/694,536
	Applicants: Stephen P.A. FODOR <i>et al.</i>	
	Filing Date: 10/28/03	Group Art Unit: 1634

U.S. PATENT DOCUMENTS						
Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
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	BR					
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	IR					
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	MR					
	NR					

FOREIGN PATENT DOCUMENTS							English Abstract		Translation Readily Available	
	Document Number	Date MM/YYYY	Country	Inventor Name			Enclosed	No	Enclose	No
	OR									
	PR									
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	SR									
	TR									
	UR									
	VR									
	WR									
	XR									

OTHER (Including in this order Author, Title, Periodical Name, Date, Pertinent Pages, etc.)							English Abstract		Translation Readily Available	
	YR	Hodgson et al, Nucl. Acids Res., 15(15):6295 (1987)								
	ZR	Khrapko et al, DNA Seq. Map, 1:375-388 (1991)								
	AAR	Lander et al, Genomics, 2:231-239 (1988)								
	BBR	Little, Nature, 346:611-612 (1990)								
	CCR	Lysov et al, Dokl. Akad. Nauk. SSSR, 303:1508-1511 (1988)								
	DDR	Olson et al, Proc. Natl. Acad. Sci. USA, 83:7826-7830 (Oct. 1986)								

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 SECOND				Attorney Docket No. 056297-5003-20-US		Application No.: 10/694,536	
				PAGE 1 of 3			
				Applicant: Stephen P. A. FODOR <i>et al.</i>		Filing Date: October 28, 2003	
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U.S. PATENT DOCUMENTS							
*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date	
	3,730,844	05/01/73	Gilham <i>et al.</i>				
	4,121,222	10/17/78	Diebold <i>et al.</i>				
	4,216,245	08/05/80	Johnson				
	4,500,919	02/19/85	Schreiber				
	4,533,682	08/06/82	Tortorello <i>et al.</i>				
	4,556,643	12/03/85	Paaui <i>et al.</i>				
	4,563,419	01/07/86	Ranki <i>et al.</i>				
	4,588,682	05/13/86	Groet <i>et al.</i>				
	4,591,570	05/27/86	Chang				
	4,598,049	07/01/86	Zelinka <i>et al.</i>				
	4,656,127	04/07/87	Mundy				
	4,670,380	06/02/87	Dattagupta				
	4,683,195	07/28/87	Mullis <i>et al.</i>				
	4,715,413	12/29/87	Backlund <i>et al.</i>				
	4,716,106	12/29/87	Chiswell				
	4,719,179	01/12/88	Barany				
	4,737,344	04/12/88	Koizumi <i>et al.</i>				
	4,766,062	08/23/88	Diamond <i>et al.</i>				
	4,767,700	08/30/88	Wallace				
	4,811,218	03/07/89	Hunkapiller <i>et al.</i>				
	4,877,745	10/31/89	Hayes <i>et al.</i>				
	4,921,805	05/01/90	Gebeyehu <i>et al.</i>				
	4,931,384	06/05/90	Layton <i>et al.</i>				
	5,006,464	04/09/91	Chu <i>et al.</i>				
	5,011,770	04/30/91	Kung <i>et al.</i>				
	5,013,669	05/07/91	Peters, Jr. <i>et al.</i>				
	5,028,545	07/02/91	Soini				
	5,037,882	08/06/91	Steel				
	5,064,754	11/12/91	Mills				
	5,077,085	12/31/91	Schnur <i>et al.</i>				
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	5,096,807	03/17/92	Leaback				
	5,100,626	03/31/92	Levin				
	5,100,777	03/31/92	Chang				
	5,149,625	09/22/92	Church <i>et al.</i>				
	5,164,319	11/17/92	Hafeman <i>et al.</i>				
	5,171,695	12/15/92	Ekins				
	5,188,963	02/23/93	Stapleton				
	5,219,726	06/15/93	Evans				
	5,225,326	07/06/93	Bresser <i>et al.</i>				
	5,328,824	07/12/94	Ward <i>et al.</i>				
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Applicant: Stephen P. A. FODOR <i>et al.</i> PAGE 2 of 3		
Filing Date: October 28, 2003		Group Art Unit: 1634

U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
		5,569,584	10/29/96	Augenlicht			
		5,599,720	02/04/97	Ekins			
		5,604,099	02/18/97	Erlich <i>et al.</i>			
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		5,776,737	07/07/98	Dunn			
		5,869,237	02/09/99	Ward <i>et al.</i>			
		5,972,619	10/26/99	Drmanac <i>et al.</i>			
		6,018,041	01/25/00	Drmanac <i>et al.</i>			
		6,025,136	02/15/00	Drmanac <i>et al.</i>			
		6,040,166	03/21/00	Erlich <i>et al.</i>			
		6,054,270	04/25/00	Southern			

FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> Translation <div style="display: flex; align-items: center;"> YES NO </div> </div>
		EP 130 523	06/01/88	Europe			
		EP 142 299	12/19/90	Europe			
		EP 174 879	03/19/86	Europe			Yes
		EP 535 242	09/03/97	Europe			
		WO 88/01058	02/11/88	WIPO			
		WO 90/05789	05/31/90	WIPO			
		WO 90/07582	07/12/90	WIPO			
		WO 91/00868	01/24/91	WIPO			
		WO 97/31256	08/28/97	WIPO			
		WO 97/45559	12/04/97	WIPO			
		WO 98/03673	01/29/98	WIPO			
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		YU 18617/87	09/18/87	Yugoslavia			
		YU P-570/87	04/01/87	Yugoslavia			

Examiner: _____	Date Considered: _____
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 SECOND	Attorney Docket No. 056297-5003-20-US	Application No.: 10/694,536
	Applicant: Stephen P. A. FODOR <i>et al.</i>	
	Filing Date: October 28, 2003	Group Art Unit: 1634

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Examiner	Date Considered
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)	Attorney Docket No. 056297-5003-20-US	Application No. 10/694,536
	Applicants: Stephen P. A. FODOR et al.	
	PAGE 1 of 4	
PTO Form 1449 THIRD	Filing Date: October 28, 2003	Group Art Unit: 1634

U.S. PATENT DOCUMENTS							
Initial		Document No.	Date	Name	Class	Sub-Class	Filing Date
	1.	20030082611	5/1/2003	Minshull			
	2.	6,653,153 B2	11/25/2003	Xiong et al.			
	3.	6,416,949	7/9/2002	Dower, et al.			
	4.	6,410,245	6/25/2002	Northrop, et al.			
	5.	6,403,957	6/11/2002	Fodor , et al.			
	6.	6,403,320	6/11/2002	Read , et al.			
	7.	6,368,874	4/9/2002	Gallop, et al.			
	8.	6,309,822	10/30/2001	Fodor et al.			
	9.	6,265,552	7/24/2001	Schatz			
	10.	6,197,506	3/6/2001	Fodor , et al.			
	11.	6,165,778	12/26/2000	Kedar			
	12.	6,165,717	12/26/2000	Dower, et al.			
	13.	6,156,511	12/5/2000	Schatz, et al			
	14.	6,143,497	11/7/2000	Dower, et al.			
	15.	6,140,493	10/31/2000	Dower, et al.			
	16.	6,107,059	8/11/2000	Hart			
	17.	6,056,926	5/2/2000	Sugarman, et al.			
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	19.	5,932,433	9/3/1999	Schatz			
	20.	5,922,545	7/13/1999	Mattheakis, et al.			
	21.	5,880,096	3/9/1999	Barrett			
	22.	5,874,239	2/23/1999	Schatz			
	23.	5,871,928	2/16/1999	Fodor , et al.			
	24.	5,861,476	1/19/1999	Barrett, et al.			
	25.	5,837,551	11/17/1998	Ekins			
	26.	5,830,851	11/3/1998	Wrighton, et al.			
	27.	5,830,721	11/3/1998	Stemmer, et al.			
	28.	5,817,751	10/6/1998	Szardenings, et al.			
	29.	5,814,603	9/29/1998	Oldenburg, et al.			
	30.	5,811,238	9/22/1998	Stemmer, et al.			
	31.	5,807,755	9/15/1998	Ekins			
	32.	5,789,162	8/4/1998	Dower, et al.			
	33.	5,786,331	7/28/1998	Barrett, et al.			
	34.	5,786,322	7/28/1998	Barrett, et al.			
	35.	5,773,569	6/30/1998	Wrighton, et al.			
	36.	5,770,358	6/23/1998	Dower, et al.			
	37.	5,767,234	6/16/1998	Yanofsky, et al.			

FOREIGN PATENT DOCUMENTS							
		Document No.	Date	Country	Class	Sub-Class	Translation

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

Examiner	Date Considered
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) <div style="display: flex; justify-content: space-between;"> PTO Form 1449 THIRD </div>	Attorney Docket No. 056297-5003-20-US	Application No. 10/694,536
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U.S. PATENT DOCUMENTS							
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	38.	5,733,731	3/31/1998	Schatz, et al.			
	39.	5,728,802	3/17/1998	Barrett, et al			
	40.	5,723,584	3/3/1998	Schatz			
	41.	5,723,286	3/3/1998	Dower, et al.			
	42.	5,708,153	1/13/1998	Dower, et al.			
	43.	5,679,773	10/21/1997	Holmes			
	44.	5,668,110	9/16/1997	Barrett, et al.			
	45.	5,665,975	9/9/1997	Kedar			
	46.	5,654,276	8/5/1997	Barrett, et al.			
	47.	5,654,162	8/5/1997	Guire et al.			
	48.	5,648,458	7/15/1997	Cwirla, et al.			
	49.	5,643,873	7/1/1997	Barrett, et al.			
	50.	5,639,603	6/17/1997	Dower, et al.			
	51.	5,635,597	6/3/1997	Barrett, et al.			
	52.	5,608,035	3/4/1997	Yanofsky, et al.			
	53.	5,607,691	3/4/1997	Hale, et al.			
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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) <div style="display: flex; justify-content: space-between;"> PTO Form 1449 THIRD </div>	Attorney Docket No. 056297-5003-20-US	Application No. 10/694,536
	Applicants: Stephen P. A. FODOR <i>et al.</i> <div style="text-align: right;">PAGE 3 of 4</div>	
	Filing Date: October 28, 2003	Group Art Unit: 1634

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